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November 12, 2021

VIA ECF

Hon. Alvin K. Hellerstein
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

The request is approved. So ordered.
/s/ Alvin K. Hellerstein
November 17, 2021

Re: The Kayo Corp. v. Fila U.S.A., Inc., Case No. 18-cv-03981 (AKH)

Dear Judge Hellerstein:

We represent Plaintiff, The Kayo Corp. (“Kayo”) in the above-referenced action. We write jointly with counsel for Defendant, Fila U.S.A., Inc. (collectively, the “Parties”), to respectfully request leave to file portions of the Parties’ briefs, expert reports, and exhibits thereto under seal. In order for the Parties to brief the Court on proof of damages as required by the Court’s September 30, 2021 Order, it is imperative that the Parties be able to refer to the financials exchanged in discovery. The briefs, expert reports, and exhibits include and refer to sales numbers and other financial information of Fila, a private company, as well as commission data that is subject to confidentiality agreements with third parties. This information was exchanged by the Parties and marked Confidential pursuant to a Confidentiality Stipulation executed by the Parties, which has been submitted to the Court as of today’s date, November 12, 2021.

Pursuant to Your Honor’s Rules and the rules of the Southern District of New York, we have enclosed full, unredacted versions of the briefs, expert reports, and exhibits with the words, phrases, and paragraphs to be redacted highlighted. The Parties have also exchanged unredacted materials.

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We thank the Court for its consideration of this request.

Respectfully submitted,

/s/ Kara M. Steger
Kara M. Steger
Counsel for The Kayo Corp.

/s/ Katie Heilman
Katie Heilman
Counsel for Fila U.S.A., Inc.